

State Board of Education Work Session on Legislation, Work Session and Business Meeting

Thursday-Friday, February 7-8, 2019

State Board Meeting Room State Office Building, Lincoln, Nebraska

[Link to Agenda and Attachments](#)

[Link to Video of Meeting](#)

Publicized notice of the work sessions and business meeting was given by posting notice on the Department's website; emailed to news media requesting notification, and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time, and location of the meetings.

STATE BOARD WORK SESSION ON LEGISLATION - Thursday, February 7, 2019, 2:00 p.m.

1. **CALL TO ORDER.** President Witzel called the meeting to order at 2:00 p.m.

1.1. Roll Call

Present: Witzel, Nickels, Koch Johns, Wise, Fricke, Stevens, Timm, Neary

Commissioner Blomstedt was also present.

1.2 President Witzel announced the placement of the Open Meetings Act information.

2. **REVIEW 2019 PROPOSED STATE LEGISLATION AND TAKE ACTION ON BOARD POSITIONS**

President Witzel turned the meeting over to Legislative Committee Chair, Maureen Nickels. Chair Nickels thanked the Committee for their work to date and participating in regularly scheduled meetings.

The Committee has reviewed the bills relating to the work of the State Board and offer the following guidance for support, opposition, and continued discussion.

Motion by Nickels, second by Koch Johns: To support the following bills:

LB 66 Provide for an early childhood element in a comprehensive plan developed by a city

LB 115 Change provisions related to enrollment of children of members of the military

LB 120 Require teacher and school staff to receive training on behavioral and mental health

LB 122 Change postsecondary residence requirements for veterans, family members, and other qualified persons

- LB 160 Redefine terms under the Local Option Municipal Economic Development Act to include early childhood infrastructure development and quality early childhood care and education programs for certain cities and villages**
- LB 226 State intent relating to appropriation for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva**
- LB 251 Adopt the Child Hunger and Workforce Readiness Act (Eliminate cost for reduced price lunch and breakfast to students in public schools that are determined eligible for reduced price meals through the National School Lunch Program**
- LB 327 State intent to appropriate funds for an increase in rates paid to behavioral health service**
- LB 568 Provide for mental health first aid training for school districts and change provisions relating to the use of lottery funds**
- LB 570 Change provisions relating to an advisory committee and a strategic plan for services for persons with disabilities**
- LB 642 Create the Brain Injury Trust Fund**
- LB 675 Change provisions relating to education**
- LB 676 Change provisions relating to school districts and the reorganization of school districts**

Brian Halstead, Deputy Commissioner, provided additional information on the status of the above bills. Discussion also included the revisions included in LB 675, the technical amendment bill.

Voting Yes: Witzel, Timm, Koch Johns, Wise, Fricke, Neary, Stevens, Nickels

The motion to support passed.

Motion by Nickels, second by Fricke: To oppose the following bills:

- LB 161 Eliminate learning communities**
- LB 399 Change the name and provisions related to the committee on Americanism**
- LB 670 Adopt the Opportunity Scholarships Act and provide tax credits**

Voting Yes: Witzel, Timm, Koch Johns, Wise, Fricke, Neary, Stevens, Nickels

The motion to oppose passed.

Motion by Nickels, second by Stevens: To discuss LB 241, 511, 590, 619, 668, 725, and 727.

Chair Nickels withdrew her motion due to a procedural issue; Stevens withdrew his second.

The following bills were discussed individually by the Board:

LB 241 Provide for teacher mentoring program grants using income from solar and wind agreements on school lands

After discussion, no action was taken.

LB 511 Authorize adjustments to state employee work schedules to participate in approved your mentoring programs

After discussion, no action was taken.

LB 590 Provide for reporting of staff training for early childhood education

After discussion, Motion by Timm, second by Stevens: To support LB 590.

Voting Yes: Witzel, Timm, Koch Johns, Wise, Fricke, Neary, Stevens, Nickels

The motion to support passed.

LB 619 Require coverage under insurance policies for mental health services delivered in schools

After discussion, Motion by Witzel, second by Fricke: To support LB 619.

Voting Yes: Witzel, Timm, Koch Johns, Wise, Fricke, Neary, Stevens, Nickels

The motion to support passed.

At 3:20 p.m., President Witzel called for a break. The meeting resumed at 3:35 p.m.

LB 668 Adopt the Alternative Certification for Quality Teachers Act

After discussion, no action was taken.

LB725 Provide for reimbursements to school districts and ESUs for mental health expenditures

Motion by John Witzel to support LB 725 died for lack of a second.

After further discussion, no action was taken.

LB 727 Provide duties for school districts, the State Department of Education, and the Department of Health and Human Services with respect to mental health services.

Motion by Patsy Koch Johns, second by John Witzel: To support LB 727.

Voting Yes: Witzel, Timm, Koch Johns, Wise, Fricke, Neary, Stevens, Nickels

The motion to support passed.

Chair Nickels asked for any other bill discussions from the Board.

LB 644 Adopt the Nebraska Workforce Diploma Act

The Legislative Committee will discuss this bill and report at the March meeting.

LB 346 Change special education reimbursements

Motion by Lisa Fricke, second by Rachel Wise: To support LB 346.

Voting Yes: Witzel, Timm, Koch Johns, Wise, Fricke, Stevens, Neary, Nickels

The motion to support passed.

3. ADJOURNMENT

President Witzel adjourned the meeting at 4:49 p.m. The regularly scheduled meeting of the State Board of Education will reconvene at 9:00 a.m., Friday, February 8, 2019.

STATE BOARD WORK SESSION, Friday, February 8, 2019 - 9:00 a.m.

Publicized notice of the work session and business meeting was given by posting notice on the Department's website; emailed to news media requesting notification, and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time, and location of the meetings.

1. CALL TO ORDER

President Witzel called the meeting to order at 9:00 a.m.

1.1. Roll Call

Present: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel
Commissioner Blomstedt was also present.

1.2. President Witzel led the Pledge of Allegiance.

1.3. President Witzel announced the placement of the Open Meetings Act.

2. APPROVAL OF THE MINUTES

2.1 Approval of the minutes of the January 11, 2019, meeting as published passed with a motion by Timm and a second by Nickels.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

3. APPROVAL OF AGENDA

3.1. Commissioner's recommendations and items to be removed from consent agenda

Commissioner Blomstedt recommended removal of Items 6.4.B, 6.5.D., and 7.2.C from the Agenda.

3.2. Approval of the Agenda as recommended passed with a motion by Nickels, second by Stevens.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

4. PUBLIC COMMENT PERIOD

4.1 There were no requests for 10-Minute Special Appearance

4.2 Public Comment (5 Minutes)

- Marian Holstein, Nebraska Indian Education Association, President of Winnebago School Board - speaking to Native American education
- Rachel Pinkerton - speaking to handouts; addressing behavior problems

5. **COMMISSIONER'S REPORT AND AGENDA OVERVIEW**

5.3 Board Priorities and Policy Research

Ryan Foor, Department of Education representative, explained the organization of the Agenda for February due to combining the Work Session and Business meeting items.

5.1 Consent Agenda

Commissioner Blomstedt reviewed the process for Consent Agenda items.

5.2 Report on Rules

The Commissioner referenced the attachment included in Board materials for the status of Rules 91 and 92.

5.4 LearningForward: Standards for Professional Learning and connections to work with the NDE

Commissioner Blomstedt introduced the panel from LearningForward. Chad Dumas, Hastings Public Schools; Blane McCann, Omaha Westside; Scott Blum, Waverly presented on the LearningForward initiative. (Handouts) Their work relates to the 6 tenets of AQuESTT as well as involving adults, parents, teachers, administrators, and community members.

5.5. Information on the Reading Improvement Act

Cory Epler, Marissa Payzant, Department of Education representatives, provided an update on the Reading Improvement Act and the programs around implementation.

5.6. Information on the Nebraska Open Education Resources (OER) Initiative

Dorann Avey, Department of Education representative, provided and review of the OER website and accessibility to the information.

5.7. Information on Special Education

Amy Rhone and Greg Prochazka, Department of Education representatives, provided information about special education programs. Information included RTI (Response to Intervention); MTSS (Multi-Tiered Systems of Support); and MOE (Maintenance of Effort).

President Witzel called for a break at 10:36 a.m. The meeting resumed at 10:50 a.m.

6. STANDING COMMITTEE REPORTS

6.1 Policy Committee. Patricia Timm, Chair, reported on the meeting of the Committee.

6.1.A. Discussion Item: Review Proposed revisions to State Board Position Statement S1, Nondiscrimination and Equal Opportunity in Schools (No report)

6.1.B. Discussion Item: Four-year review of State Board Bylaw B1, Board Officers

The Committee does not anticipate bringing forward any revisions and will recommend re-adoption at the March meeting.

6.2 Legislative Committee. Maureen Nickels, Chair, reported on the meeting of the Committee.

The Board reviewed legislation and took action during the Legislative Work Session on February 7, 2019. No additional report.

6.3 Commissioner's Appraisal Committee – No report

6.4 AQuESTT - Teaching and Learning Domain Committee. Lisa Fricke, Chair, reported on the meeting of the Committee.

6.4.A. Discussion Item: Provide an update on the recently reauthorized Strengthening Career & Technical Education for the 21st Century Act

Katie Graham and Dawn Lindsley, Department of Education representatives, provided information on the recently reauthorized Strengthening Career & Technical Education for 21st Century Act (Perkins 5).

6.4.B. Discussion Item: Update on the process to revise the Nebraska World Language Essential Learnings – Removed from Agenda

6.5. AQuESTT - Student Success and Access Domain Committee. Patsy Koch Johns, Chair, reported on the meeting of the Committee.

6.5.A. Action Item: Grant the Commissioner the authority to contract with Younes Conference Center for the MTSS Conference

The Committee received information regarding the MTSS conference. The Conference will be held in Kearney with a contract over \$50,000. The Committee recommends approval of the contract.

- 6.5.B. Action Item: Approve the Traumatic Brain Injury (TBI) Network Capacity Building Contract with John M. Ferrone Management Consulting, Inc.

The Committee received information from staff regarding Nebraska Vocational Rehabilitation and how this contract connects with the work of VR. Lindy Foley and Keri Bennett, Department of Education representatives provided additional information about the contract.

The Committee recommends approval of the contract.

- 6.5.C. Discussion Item: Nebraska Equity Lens

The Committee discussed the development of an equity lens, asking the Board to engage in discussion on this topic. The Committee will continue this discussion and keep the Board apprised of the discussions.

- 6.5.D. Action Item: Grant the Commissioner the authority to contract with the Office of the Chief Information Officer for analyzing and documenting the existing Nutrition Services reporting needs. *This item was removed from the Agenda.*

- 6.5.E. Action Item: Grant the Commissioner the authority to contract with the Board of Regents of the University of Nebraska to build capacity of Nebraska public schools in the area of emergency management

The Committee discussed this contract which allows the Commissioner to contract with the University of Nebraska to build the capacity of public schools in the area of emergency management.

The Committee recommends approval of this contract.

- 6.6 Budget and Finance Committee. John Witzel, Chair, reported on the meeting of the Committee.

- 6.6.A. Action Item: Approve the 2019-2021 NDE-NAPE/AFSCME Bargaining Agreement

Joel Scherling, Department of Education representative, reviewed the Bargaining Agreement with the Board.

The Committee recommends approval of the Agreement.

- 6.7 Strategic Planning, Performance and Improvement. Rachel Wise, Chair, reported on the meeting of the Committee.

The Committee met with the external reviewers, Anne Herman and Sara Ann Kotchian, to review results of the reviewers' findings.

6.7.A. Discussion Item: Report on External Review of Strategic Plan

Anne Herman, Sarah Ann Kotchian, provided an updated report on the NDE Strategic Plan Review.

Draft Committee Recommendations for next steps were shared with the Board. Chair Wise reminded Board Members that the strategic plan needs to guide the work of the Board.

Board members were asked to provide input to Ryan Foor and Rachel Wise to include in future committee discussions.

7. ACTION ITEMS

7.1. Legislative Committee

7.1.A. Review 2019 Proposed State Legislation and Take Action on Board Positions

No additional action needed.

7.2. AQuESTT - Student Success and Access Domain Committee

7.2.A. Grant the Commissioner the authority to contract with Younes Conference Center for the MTSS Conference passed with a motion by Robin Stevens and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

7.2.B. Approve the Traumatic Brain Injury (TBI) Network Capacity Building Contract with John M. Ferrone Management Consulting, Inc., passed with a motion by Robin Stevens and a second by Lisa Fricke.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

7.2.D. Grant the Commissioner the authority to contract with the Board of Regents of the University of Nebraska to build capacity of Nebraska public schools in the area of emergency management passed with a motion by Deborah Neary and a second by Rachel Wise.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

7.3. Budget and Finance Committee

- 7.3.A. Approve the 2019-2021 NDE-NAPE/AFSCME Bargaining Agreement Passed with a motion by John Witzel and a second by Maureen Nickels.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

8. APPROVAL OF CONSENT AGENDA

- 8.2 Approve consent agenda passed with a motion by Rachel Wise and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

9. SPECIAL PRESENTATIONS AND DISCUSSIONS - None

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

- 10.1. Meeting participation and joint meetings with policy partners

- 10.2. Meetings that took place in the past and were not previously approved

- Approve meetings that took place in the past and were not previously approved for December 3, December 10, December 12, January 12, and January 21, for Patsy Koch Johns passed with a motion by Patricia Timm and a second by Rachel Wise.

Voting Yes: Fricke, Neary, Nickels, Stevens, Timm, Wise, Witzel

Abstain: Koch Johns

- Approve meetings that took place in the past and were not previously approved for January 15, January 21, January 24, for Lisa Fricke, passed with a motion by Rachel Wise and a second by Patricia Timm.

Voting Yes: Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Abstain: Fricke

- Approve meetings that took place in the past and were not previously approved for January 23 and February 1 for Rachel Wise passed with a motion by Lisa Fricke and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Witzel
Abstain: Wise

- Approve meetings that took place in the past and were not previously approved for January 23 for Robin Stevens passed with a motion by Patsy Koch Johns and a second by Rachel Wise.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Timm, Wise, Witzel
Abstain: Stevens

- Approve meetings that took place in the past and were not previously approved for January 28 for Maureen Nickels, Robin Stevens and Lisa Fricke.

Following discussion, Robin Stevens moved to amend the motion by removing Maureen Nickels from the motion, second by Lisa Fricke.

Voting Yes to Amend: Fricke, Koch Johns, Neary, Timm, Wise, Witzel
Abstain: Nickels

Motion to amend passed.

- Approve meetings that took place in the past and were not previously approved for January 28 for Robin Stevens and Lisa Fricke passed with a motion as amended by John Witzel and a second by Maureen Nickels.

Voting Yes: Koch Johns, Neary, Nickels, Timm, Wise, Witzel
Abstain: Fricke, Stevens

10.3. Future Meeting participation

Motion by Wise, second by Koch Johns: To approve future meeting participation.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Timm, Wise, Witzel

Motion passed.

12. ADJOURNMENT

President Witzel adjourned the meeting at 12.24 p.m. A Work Session will be held on Thursday, March 7 at 2:00 p.m. and a Board Meeting will be held on Friday, March 8 at 9:00 a.m.